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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. 4-08-70488 WDB
11)
Plaintiff,) STIPULATION AND ORDER RESETTNG
12) DATE FOR PRELIMINARY HEARING
vs.)
13)
LEONARD DEW,)
14)
Defendant.)
15 _____)

16
17 IT IS HEREBY STIPULATED between the plaintiff through its attorney, Maureen
18 Bessette, and the defendant through his attorney Ned Smock, that the preliminary hearing in this
19 matter now set for September 10, 2008 at 10:00 a.m. shall be reset for October 29, 2008 at 10:00
20 a.m. The parties are engaged in discussions about possible resolution of the case. Mr. Dew is
21 out of custody. Additional time is needed to perform investigation and research as those
22 discussions continue. Defendant Dew and his counsel waive the provisions of Rule 5.1(c) of the
23 Federal Rules of Criminal Procedure requiring a preliminary hearing to be held within 20 days of
24 his initial appearance and 18 U.S.C. § 3161(b) requiring an indictment to be filed within thirty
25 days from the date of arrest.
26

1 IT IS SO STIPULATED:

2 Dated: September 8, 2008

/S/ Ned Smock
NED SMOCK
Assistant Federal Public Defender

5 Dated: September 8, 2008

/S/ Maureen Bessette
MAUREEN BESSETTE
Assistant United States Attorney

7 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
8 "conformed" signature (/S/) within this e-filed document.

9
10 **ORDER**

11 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the preliminary
12 hearing in this matter now scheduled for September 10, 2008 is hereby rescheduled for
13 October 29, 2008 at 10:00 a.m.

14 Dated: September 9, 2008


HONORABLE WAYNE D. BRAZIL
United States Magistrate Judge